

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

FILED

2018 JAN 23 P 2:09

U.S. DISTRICT COURT
N.D. OF ALABAMA

January 23, 2018

This document relates to:

**Troy T. Williams, an
Individual**

Plaintiff,

V.

:
:
CaseNo. 5:17-cv-01216-CLS
: PLAINTIFF DEMANDS TRIAL
: BY JURY
:
:
:

**Capital One Bank (USA)N.A.
and Equifax Information Services
LLC.
*Defendant(s)***

**PLAINTIFF'S NOTICE OF MOTION FOR LEAVE TO AMEND ACCORD
WITH FED. R. CIV. P. RULE 15(a) FOR INTERLOCUTORY APPEAL
(ECF 83)**

Comes now, Plaintiff, Williams, pro se', to hereby respectfully move the Court for
"Motion to Leave To Amend" *in a timely manner* of Court's order (ECF 83)

denying “Motion to Disqualify” of January 8, 2018 pursuant to **Title 28U.S.C. § 1292(a)(1)**.

I. Introduction:

The court stated in its order (ECF 91) that it was denying interlocutory appeal for Capital One Bank based on 28U.S.C. § 1292(b). This order inadvertently mixes ECF 83 and 84 as one interlocutory appeal and by doing so, this is factually inaccurate.

Plaintiff Williams filed correctly concerning Capital One Bank(USA)N.A. under 28 U.S.C. § 1291, for order issued (ECF 84), granting Capital One Bank’s “Motion to Dismiss” which has been transmitted to the Eleventh Circuit and assigned a case number.

Order (ECF 83), which refers to Equifax Information Services LLC., which was filed under 28USC § 1292(b) was improper, and now Plaintiff asked for leave to amend to file properly and timely under 28USC § 1292(a)(1). This means argument filed improperly would no longer apply, as would the Court’s Order (ECF 91).

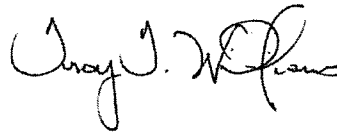
In other words, the improperly filed interlocutory appeal and the Court’s order cancel each other out. Plaintiff, as a pro se’, inadvertently stated inaccurately

1292(b), it should have been 1292(a)(1). Due to inclemental weather (wintry in nature) Plaintiff still would meet the ten day threshold to file for an interlocutory appeal. This action would not prejudice either party.

RELIEF:

WHEREBY, Plaintiff, Williams respectfully ask this Court to grant leave to amend to file properly the Notice of Motion for Interlocutory Appeal for (ECF 83) denying “Motion to Disqualify”, as it pertains to Equifax Information Services LLC., pursuant to 28 U.S.C. § 1292(a)(1).

Respectfully submitted,



/s/Troy T. Williams
(Pro Se)
PO Box 464
Harvest, Alabama
256-749-2614
256-829-8246 Alt#
twothelittlewill@gmail.com
In Proper Person

Certificate of Interested Parties:

January 23, 2018

I, Troy T. Williams, do solemnly swear that the foregoing is true and correct to the best of my knowledge and that this "*Plaintiff's Motion for Leave to Amend*" is in compliance with **with Local Court Rules and Fed.R.Civ.P.**."I have sent the following parties a copy of my brief via United States Postal Service and/or by email..If you have any questions please contact me at twothetlwill@gmail.com. Thank you.

Capitla One Bank (USA)N.A.

Attn: Joshua Threadcraft

Burr & Forman LLP

420 North 20th Street

Suite 3400

Birmingham, AL 35203

Email: JThreadcraft@burr.com

Attorney To Be Noticed

Equifax Information Services LLC.

Attn: Kirkland E Reid

JONES WALKER LLP

11 N. Water Street

Suite 1200

Mobile, AL 36602

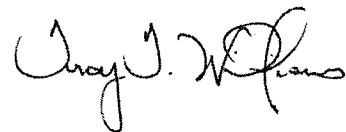
251-432-1414

Fax: 251-439-7358

Email: kreid@joneswalker.com

ATTORNEY TO BE NOTICED

Respectfully submitted,



/s/Troy T. Williams

(Pro Se)

PO Box 464

Harvest, Alabama

256-749-2614

256-829-8246 Alt#

twothetlwill@gmail.com

In Proper Person